



W.P(MD)No.32828 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.32828 of 2025

Perumal

.. Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai.

2.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to reissue of passport to the petitioner based on his application with file No.MD1073602133321 dated 27.09.2021 without insisting for copy of judgment in C.C.No.36 of 2024 on the file of the Judicial Magistrate, Karaikudi, in Crime No.44 of 2023 on the file of the second respondent.

For Petitioner	: Mr.D.Venkatesh
For R1	: Mr.I.Sakar
	Central Government Standing Counsel
	(for R1)
	Mr.S.Prakash
	Government Advocate (Crl.side) (for R2)



W.P(MD)No.32828 of 2025

ORDER

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This writ petition has been filed seeking for Mandamus to direct the first respondent to reissue of passport to the petitioner based on his application with file No.MD1073602133321 dated 27.09.2021 without insisting for copy of judgment in C.C.No.36 of 2024 on the file of the Judicial Magistrate, Karaikudi, in Crime No.44 of 2023 on the file of the second respondent.

2. Mr.I.Sakar, learned Central Government Standing Counsel, who takes notice for R1 and Mr.S.Prakash, learned Government Advocate (crl.side), who takes notice for R2. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The contention of the petitioner is that the respondents have refused to renew his license quoting the pendency of the criminal case in Crime No.44 of 2023, which has been taken on file as C.C.No.36 of 2024 on the file of the learned Judicial Magistrate, Karaikudi. The petitioner would submit that the said criminal case has been initiated only on the basis of the complaint given by the petitioner against his brother and therefore, he would seek a mandamus to the first respondent to reissue his passport.



W.P(MD)No.32828 of 2025

3. Heard the learned counsel on either side.

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4. A mere perusal of the FIR, which is the subject matter of Crime No.44 of 2023 would show that the complainant is the petitioner and it is not a complaint against the petitioner. The Calendar Case has been initiated on the basis of the complaint made by the petitioner against his brother. Therefore, the respondents cannot refuse to issue passport quoting the criminal case, since the provisions of Section 6(1) (e) and (d) of the Passport Act, only speak of conviction against the holder of the passport or criminal proceedings being initiated against the holder of the passport. In the case on hand, the holder of the passport has given a complaint against another person and therefore, the refusal to reissue the passport on the ground of the pendency of C.C.No.36 of 2024 on the file of the learned Judicial Magistrate, Karaikudi, is without any basis. Therefore, mandamus is issued to the first respondent to reissue the passport of the petitioner based on his application made in file No.MD1073602133321 dated 27.09.2021, without insisting on the copy of the judgment in C.C.No.36 of 2024. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



W.P(MD)No.32828 of 2025

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5. With the above direction, this Writ Petition is allowed. No costs.

18.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To

1.The Regional Passport Officer,
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Bharathi Ula Veethi,
Race Course Road, Madurai.

2.The Inspector of Police,
Kundrakudi Police Station,
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W.P(MD)No.32828 of 2025

P.T.ASHA, J.

Rmk

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18.11.2025